

STAND. COM. REP. NO. **1160**

Honolulu, Hawaii

MAR 17 2023

RE: H.B. No. 140

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 140 entitled:

"A BILL FOR AN ACT RELATING TO RECORD DISPOSITION,"

begs leave to report as follows:

The purpose and intent of this measure is to provide the Hawai'i State Ethics Commission with the discretion to maintain or destroy records of financial disclosure statements beyond the current six-year statutory requirement, to be applied retroactively to applicable disclosures that are in the Hawai'i State Ethics Commission's possession and control.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that section 84-17.5, Hawaii Revised Statutes, requires financial disclosure statements to be destroyed after six years. With respect to publicly filed statements, it is unclear whether this requirement serves a purpose. Public financial disclosure statements are frequently downloaded or posted on other websites. This information will never be truly destroyed, and it may be misleading to treat these documents as if they could be removed from the internet. This housekeeping measure helps establish greater uniformity with document retention requirements and allows the Hawai'i State Ethics Commission to manage records more efficiently.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 140, and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,




KARL RHOADS, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 140	JDC	3/9/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes